

REMARKS

Preliminary Matters

Claims 1-21 are all the claims pending in the application.

Applicant thanks the Examiner for acknowledging the claim to foreign priority and for confirming that the certified copy of the priority document was received.

Applicant also thanks the Examiner for initialing the references listed on form PTO/SB/08 submitted with the Information Disclosure Statement filed on December 17, 2004.

Claim Rejections - 35 U.S.C. § 102

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Vertaschitsch (US 6,976,217).

The present invention (as recited in claim 1) requires setting up a connection between a device and a terminal. The terminal is required to contain service configuration data. The terminal and the device are required to exchange service configuration data selected AT commands.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The patent office refers to 5:48-6:28 of Vertaschitsch in alleged support of the anticipation rejection. However, neither these passage nor the rest of the Specification of Vertaschitsch disclose (or suggest) the above-noted features of the present invention.

Vertaschitsch is related to a single PDA device and the integration of the phone service and the PDA features within that single PDA device. The patent office refers to Fig. 3 of Vertaschitsch. However, this figure shows a single PDA device 300 and the various components within the single PDA device. The communication that is discussed in 5:48-52 of Vertaschitsch occurs completely within the PDA device 300. Specifically, data communication occurs between the phone application 311 on the processing unit 310 and the phone control application 318 on the phone control processor 315. As can be seen clearly from Fig. 3, all the components 310, 311, 315 and 318 reside completely on the PDA device 300. Further, there is no disclosure in Vertaschitsch related to exchanging **service configuration data**.

Vertaschitsch does not disclose (or suggest) communication between a device and a terminal, as required by the present invention. Further, it does not require exchanging service configuration data between the device and the terminal using selected AT commands.

The patent office has not satisfied its burden in establishing anticipation of the present invention (as recited in claim 1) by Vertaschitsch at least because of the deficiencies noted in the teachings of Vertaschitsch.

Claims 9 and 14 include limitations analogous to the ones described above in relation to claim 1. Therefore, the arguments discussed above are analogously valid.

Claims 2-8, 10-13 and 15-18 are dependent on claims 1, 9 and 14 respectively, and therefore, are allowable for the same reasons.

Claim Rejections - 35 U.S.C. § 103

Claims 19-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vertaschitsch (US 6,976,217) in view of Herle (US 2003/0027563).

Claims 19 -21 are dependent on claims 18, and therefore, are allowable at least for the same reasons. Moreover, Herle appears to have been cited for its teaching on IrDa or Bluetooth. Importantly, it does not overcome the deficiencies noted above in the teachings of Vertaschitsch.

Conclusion

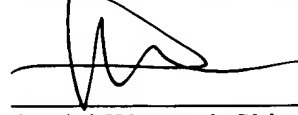
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/518,403

Attorney Docket No.: Q85026

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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